

REMARKS:

The courtesy of the Examiner in granting a telephone interview to discuss this application is noted with appreciation.

Status of Application:

Claims 1-7 are currently pending in the present Application. Claims 8-19 have been added, and no claims have been canceled. No new matter has been added as a result of the claim amendments.

The Examiner has indicated that claims 3-5 would be allowable if rewritten in independent form. Claim 2 stands as rejected under 35 U.S.C. §112, second paragraph, for being vague and indefinite, and Claims 1, 2, 6, and 7 stand rejected under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,718,763 to Maruta *et al.* In addition, the Examiner has objected to the drawings and the Specification.

Telephone Interview:

In a telephone interview on 11 August 2006, Examiner Charles G. Freay spoke with attorney for Applicants, Michael Alford. Attorney for Applicants indicated to the Examiner that Applicants believe Figure 5 is an accurate schematic representation of a two-stage valve according to the invention, and that valve 113 and valve 115, as shown in Fig. 5 open at different times. Attorney for Applicants explained that a two-stage valve according to the invention has a built-in delay between the opening of first stage 113 and the opening of second stage 115, which would not be the case for the valve system shown in ATTACHMENT A. The Examiner indicated that he agreed with attorney for Applicants and would withdraw the objection to the drawings and the related objection to the specification.

Objections to the Drawings:

The Examiner has indicated that he believes Figure 5 does not agree with the valve shown in Figure 6. The Examiner included a drawing, labeled as ATTACHMENT A, of what the Examiner believes the two-stage valve should look like schematically.

As described above, Attorney for Applicants explained in the telephone interview that a two-stage valve according to the invention has a built-in delay between the opening of the first stage and the opening of the second stage, which would not be the case for the valve system shown in ATTACHMENT A. The Examiner indicated that he agreed with attorney for Applicants and would withdraw the objection to the drawings.

Objection to the Specification:

The Examiner also indicated that he believes the description relating to the operation of the two-stage valve does not agree with the schematic representation shown in Figure 5.

As described above, Attorney for Applicants explained in the telephone interview that a two-stage valve according to the invention has a built-in delay between the opening of the first stage and the opening of the second stage, which would not be the case for the valve system shown in ATTACHMENT A. The Examiner indicated that he agreed with attorney for Applicants and would withdraw the objection to the specification.

Rejection Under 35 U.S.C. §112:

Claim 2 stands as rejected under 35 U.S.C. §112, second paragraph, for being vague and indefinite due to the heat exchanger being described as "optional." The Examiner has suggested deleting "optional" from Claim 2.

Accordingly, Claim 2 is currently amended to delete "optional" from the claim and change the indefinite article from "an" to "a." Applicants respectfully submit that the amendment puts Claim 2 in condition for allowance and request that the rejection of Claims 2 under 35 U.S.C. §112 be reconsidered and withdrawn.

Rejection Under 35 U.S.C. §102(e):

Claims 1, 2, 6, and 7 stand rejected under 35 U.S.C. §102(e), as being anticipated by US Patent No. 6,718,763 to Maruta *et al.* The Examiner noted that if Applicants specifically invoked 35 U.S.C. §112. sixth paragraph, for consideration of the functional limitations of the first stage and the second stage found in Claim 1, that these limitations would be given patentable weight and would be favorably considered.

Accordingly, Applicants hereby specifically request that the Examiner consider the functional limitations of the first stage and the second stage under 35 U.S.C. §112. sixth paragraph.

Therefore, it is respectfully requested that the rejection of Claims 1, 2, 6, and 7 under 35 U.S.C. §102(e), as being anticipated by Maruta, be reconsidered and withdrawn.

Amendment to the Claims:

Applicant has herein amended Claim 1 to change the semi-colon immediately following the preamble to a colon. This amendment is for the sole purpose of correcting a typographical error and is not done for reasons related to patentability.

New Claims:

New claims 8-19 have been added herein. New independent apparatus Claim 8 is directed to a two-stage pressure relief valve and recites the same limitations for the valve as found in Claim 1. New independent apparatus Claim 14 is directed to a

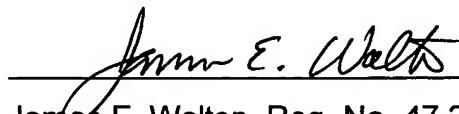
hydraulic system as in Claim 1, but Claim 2 does not state in the preamble that it is for an aircraft and does not require a reservoir. New Claims 9-13 are dependent on Claim 8, and new Claims 15-19 are dependent on Claim 14. Applicants submit that Claims 8-19 do not add new matter and respectfully submit that new claims 8-19 are also in condition for allowance.

CONCLUSION:

In view of the foregoing remarks, the Applicants respectfully submit that the present application is in condition for allowance, and an early reconsideration and issuance of a Notice of Allowance are earnestly solicited. The Examiner is invited to contact the undersigned at (817) 447-9955 with any questions, comments, or suggestions relating to the referenced patent application.

Respectfully submitted,

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Date


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